IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2359 OF 2004
IN
INCOME TAX APPEAL (LOD) NO.960 OF 2004

The Commissioner of Income-tax ..Appellant.

V/s.

Patel Roadways Ltd. ..Respondent.

Mr.A.Kotangale for appellant.

Mr.P.R.Toprani for respondent.

CORAM : F.I.REBELLO AND
R.V.MORE, JJ.

DATED : 3RD JULY, 2007.

P.C. :-

There is a delay of 85 days in preferring the appeal. Shri R.V.Reddy, Dy. Commisssioner of Income-tax has filed an affidavit in support of the Notice of Motion for condonation of delay and various steps taken therein have been set out. The reply has been filed on behalf of the respondent opposing the condontion of delay.

2. Considering what is set out in the affidavit of Shri Reddy, in our opinion cause shown would amount to sufficient cause. Delay is condoned. Motion is made absolute in terms of prayer clause (a). Office to register the appeal.

(F.I.REBELL0, J.)

(R.V.MORE, J.)